

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CIVIL ACTION NO. 15-cv-14174-NMG

**CARLA SHEFFIELD, Personal Representative of
the Estate of Burrell Ramsey-White,**

Plaintiff,

v.

MATHEW PIEROWAY & JOEL RESIL,

Defendants.

**DEFENDANTS' SUPPLEMENTAL JURY INSTRUCTIONS REGARDING
"PROVOCATION"**

1. The objective reasonableness analysis must be conducted separately for each seizure that is alleged to be unconstitutional. Cty. of Los Angeles, Calif. v. Mendez, 137 S. Ct. 1539, 1547 (2017).
2. A prior constitutional violation cannot be considered to have provoked a later, reasonable use of force. Cty. of Los Angeles, Calif. v. Mendez, 137 S. Ct. 1539, 1548 (2017). Put another way, a reasonable use of force is not made unreasonable because of a prior constitutional violation. Id.

Date: March 14, 2019

Respectfully submitted:

**DEFENDANTS MATHEW PIEROWAY
and JOEL RESIL**

By their attorneys:

Eugene L. O'Flaherty
Corporation Counsel

/s/ Nicole M. O'Connor

Nicole M. O'Connor (BBO#675535)

Senior Assistant Corporation Counsel

Nieve Anjomi (BBO#651212)

Assistant Corporation Counsel

City of Boston Law Department

Boston, MA 02201

(617) 635-4039 (O'Connor)

(617) 635-4098 (Anjomi)

Nicole.OConnor@boston.gov

Nieve.Anjomi@boston.gov

CERTIFICATE OF SERVICE

I, Nicole M. O'Connor, hereby certify that a true copy of the above document was served upon all parties of record via this court's electronic filing system on March 15, 2019.

/s/ Nicole M. O'Connor

Nicole M. O'Connor